

IN THE COURT OF COMMON PLEAS
PORTAGE COUNTY, OHIO

NANCY KING
1341 E. Highland Ave. Apt. 2
Ravenna, Ohio 44266

Plaintiff

vs.

CIRCLE K
530 N. Chestnut Street
Ravenna, Ohio 44266

and

CIRCLE K STORES INC.
c/o Corporation Service Company,
Statutory Agent
3366 Riverside Drive, Suite 103
Upper Arlington, Ohio 43221

and

JOHN DOE ENTITIES #1-2
Whose Exact Name and Address
Cannot Be Ascertained At The
Present Time

Defendants

MAC'S CONVENIENCE STORES, LLC
c/o Corporation Service Company,
Statutory Agent
3366 Riverside Drive, Suite 103
Upper Arlington, Ohio 43221

New Party Defendant

CASE NO. 2022 CV 00802

JUDGE BECKY L. DOHERTY

AMENDED COMPLAINT

EXHIBIT

A

For her complaint against the defendants, Circle K (“Circle K”)and Circle K Stores Inc. “Circle K Stores Inc.”), John Doe Entities #1-2 (the “Doe Entities”) and new party defendant Mac’s Convenience Stores, LLC (“Mac’s”)(hereinafter Mac’s, Circle K and Circle K Stores Inc. are collectively referred to as “Defendants”), the plaintiff, Nancy King (“Plaintiff”), states and avers as follows:

FIRST CLAIM

1. On or about January 16, 2022, Plaintiff was a business invitee at Mac’s d/b/a as Circle K and/or Circle K Stores Inc. located at 530 N. Chestnut Street, Ravenna, Ohio 44266, in the City of Ravenna, Portage County, State of Ohio (hereinafter referred to as “the premises”). While at Mac’s /d/b/a/ Circle K and/or Circle K Stores Inc., Plaintiff fell as a result of the negligently maintained premises by Defendants.

2. At all times relevant, Circle K. Stores Inc. is a foreign corporation for profit incorporated in the State of Texas with its principle place of business located 1130 W. Warner Road, Tempe, AZ 85284, and doing business in Ohio. Circle K. Stores Inc., statutory agent, identified by the Ohio Secretary of State, as Corporation Service Company which is an Ohio corporation located at 3366 Riverside Drive, Suite 103, Upper Arlington, Ohio 43221.

3. At all times relevant, Mac’s is a foreign limited liability company doing business in Ohio at 530 Chestnut Street, in the City of Ravenna, Portage County, State of Ohio under the fictitious name of Circle K, and whose statutory agent is Corporation Service Company located at 3366 Riverside Drive, Suite 103, Upper Arlington, Ohio 43221.

4. At all times relevant, Defendants were subject to various rules, regulations, operating procedures, and business practices promulgated by Circle K, Circle K. Stores Inc. and Mac’s, pertaining to, among other things, and not by means of limitation, the maintenance of the

premises.

5. On or about January 16, 2022, Defendants failed to maintain the premises in a safe condition for its invitees, including Plaintiff.

6. As a result of Defendants' negligence, Plaintiff incurred injuries, including but not limited to her knees with a right lateral tibial plateau fracture incurring severe pain and suffering and expects to incur further pain and suffering in the future.

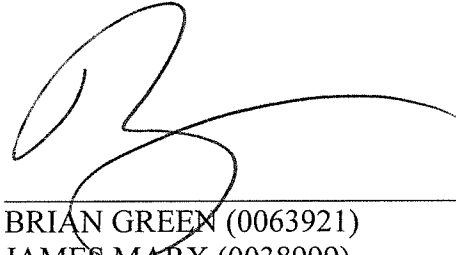
7. As a result of Defendants' negligence, Plaintiff, incurred substantial medical expenses and expects to incur further medical expenses in the future.

SECOND CLAIM

8. Plaintiff incorporates all of the allegations in the FIRST CLAIM as though fully rewritten herein.

9. The Defendants, John Doe Entities 1 & 2 (hereinafter John Doe 1 & 2), are entities whose names and addresses are presently unknown and could not be discovered prior to the filing of this Complaint with reasonable and due diligence and for which contribution may be apportioned. Plaintiff alleges that the Defendant, John Does 1 & 2 are entities whose negligence may have proximately contributed to this accident. If, in fact, evidence discloses a claim to be asserted against the Defendant, John Doe 1 & 2, the Plaintiff's Complaint will be amended pursuant to the applicable rules of Civil Procedure upon identification of such entities.

WHEREFORE, Plaintiff respectfully requests that judgment be rendered against the Defendants and John Doe Entities 1 & 2 in excess of Twenty-Five Thousand Dollars (\$25,000.00) plus interest and costs.

A handwritten signature in black ink, appearing to be 'B. Green', written over a horizontal line.

BRIAN GREEN (0063921)

JAMES MARX (0038999)

SEAN BURKE (0087214)

SHAPERO & GREEN LLC

Signature Square II, Suite 220

25101 Chagrin Boulevard

Beachwood, Ohio 44122

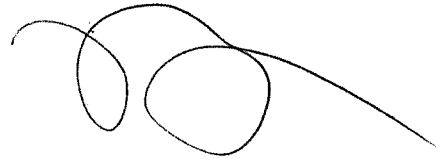
(216) 831-5100 F: (216) 831-9467

Attorneys for Plaintiff

bgreen@shaperolaw.com

jmarx@shaperolaw.com

sburke@shaperolaw.com



BRIAN GREEN (0063921)
JAMES MARX (0038999)
SEAN BURKE (0087214)
SHAPERO & GREEN LLC
Signature Square II, Suite 220
25101 Chagrin Boulevard
Beachwood, Ohio 44122
(216) 831-5100 F: (216) 831-9467
Attorneys for Plaintiff
bgreen@shaperolaw.com
jmarx@shaperolaw.com
sburke@shaperolaw.com

CERTIFICATE OF SERVICE

The undersigned does hereby certify that a copy of the foregoing has been filed and served by email on this 4th day of January 2023, to the following:

Michelle L. Casper
ULMBER & BERNE LLP
65 East State Street, Suite 110
Columbus, Ohio 43215-4213
P: 614-229-0036 F: 614-229-0037
mcasper@ulmer.com
Counsel for New Party Defendant
Mac's Convenience Stores, LLC



BRIAN GREEN (0063921)
JAMES MARX (0038999)
SEAN BURKE (0087214)
SHAPERO & GREEN LLC

JILL FANKHAUSER, CLERK
PORTAGE COUNTY CLERK OF COURTS
RAVENNA, OHIO

PRAECIPE

DATE: January 4, 2023

CASE NO: 2022 CV 00802

NANCY KING

PLAINTIFF

VS.

CIRCLE K, ET AL.

DEFENDANT

REQUEST/INSTRUCTIONS FOR:
SERVE VIA CERTIFIED MAIL A COPY OF AMENDED COMPLAINT ON NEW PARTY
DEFENDANT AT THE FOLLOWING:

MAC'S CONVENIENCE STORES, LLC

c/o Corporation Service Company, Statutory Agent

3366 Riverside Drive, Suite 103

Upper Arlington, Ohio 43221

BY: Attorney Brian Green (0063921)

Shapero & Green LLC

25101 Chagrin Blvd. Suite 220

Beachwood, Ohio 44122

P: 216-831-5100 F: 216-831-9467

bgreen@shaperolaw.com

JILL FANKHAUSER, CLERK
PORTAGE COUNTY CLERK OF COURTS
RAVENNA, OHIO

PRAECIPE

DATE: January 4, 2023

CASE NO: 2022 CV 00802

NANCY KING

PLAINTIFF

VS.

CIRCLE K, ET AL.

DEFENDANT

REQUEST/INSTRUCTIONS FOR:
SERVE VIA CERTIFIED MAIL A COPY OF AMENDED COMPLAINT ON DEFENDANT
CIRCLE K STORES INC. AT THE FOLLOWING:

CIRCLE K STORES INC.

c/o Corporation Service Company, Statutory Agent

3366 Riverside Drive, Suite 103

Upper Arlington, Ohio 43221

BY: Attorney Brian Green (0063921)

Shapero & Green LLC

25101 Chagrin Blvd. Suite 220

Beachwood, Ohio 44122

P: 216-831-5100 F: 216-831-9467

bgreen@shaperolaw.com

JILL FANKHAUSER, CLERK
PORTAGE COUNTY CLERK OF COURTS
RAVENNA, OHIO

PRAECIPE

DATE: January 4, 2023

CASE NO: 2022 CV 00802

NANCY KING

PLAINTIFF

VS.

CIRCLE K, ET AL.

DEFENDANT

REQUEST/INSTRUCTIONS FOR:
SERVE VIA CERTIFIED MAIL A COPY OF AMENDED COMPLAINT ON DEFENDANT
CIRCLE K AT THE FOLLOWING:

CIRCLE K

530 N. Chestnut Street

Ravenna, Ohio 44266

BY: Attorney Brian Green (0063921)

Shapero & Green LLC

25101 Chagrin Blvd. Suite 220

Beachwood, Ohio 44122

P: 216-831-5100 F: 216-831-9467

bgreen@shaperolaw.com
